IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 24TH AUGUST 2006 / 2ND BHADRA 1928

Bail Appl..No. 5044 of 2006

CRIME NO. 239/2006 OF THIRUVALL EXCISE RANGE

PETITIONER/ACCUSED

KRISHNA KUMAR,
S/O.CHELLAPPAN NAIR, KANATHATTU MALAYIL VEEDU,
VALLAM KULAM KIZHAKKUMURI, ERAVIPEROOR,
THIRUVALLA.

BY ADV. SRI.C.K.SASI
SRI.C.A.NAVAS

RESPONDENTS:

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1. THE EXCISE INSPECTOR, THIRUVALLA
EXCISE RANGE, THIRUVALLA.

2. STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5044/2006

DATED THIS THE 24TH DAY OF AUGUST, 2006

O R D E R

The petitioner had surrendered before the Court below on 30.6.2006, as he is accused of the offence punishable under Section 8(1) & (2) of the Abkari Act in C.R.No.239/2006 of Thiruvalla Excise Range. He was found in illegal possession of 1.5 liters of illicit arrack, on 5.5.2006. He remains in judicial custody. Hence this application, under Section 439 Cr.P.C.

2. When the application came up for consideration, the learned counsel submitted that the petitioner is having some ailments. Therefore, I had directed the learned Public Prosecutor to verify the same. Upon instructions, the public prosecutor submitted that the petitioner is suffering from psoriasis.

3. In the above facts situation, I grant bail and release the petitioner from jail, subject to the following condition:-

The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class, Thiruvalla.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs